

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

AMERICAN GENERAL LIFE INSURANCE )  
COMPANY, )  
Plaintiff, )  
 )  
v. )    **No. 3:11-cv-519**  
  (**Phillips**)  
MARIA DE JESUS GAITAN, DIANA L. )  
LYTLE, AUDREY LEE CORLEY, and )  
MEMORIAL FUNERAL HOME, INC., )  
Defendants. )

**DEFAULT JUDGMENT**

Before the Court is Plaintiff's Motion for Default Judgment as to Memorial Funeral Home, Inc. [Doc. 15.] Default was entered against Defendant Memorial Funeral Home on December 28, 2011. [Doc. 13.] Memorial Funeral Home having been properly served with all filings in this case and having failed to plead or otherwise defend in this case, Plaintiff's motion [Doc. 15] is **GRANTED IN PART** and **DENIED IN PART**. Default judgment is **ENTERED** against Defendant Memorial Funeral Home, whereby:

1.     Defendant Memorial Funeral Home is hereby permanently **ENJOINED** and **RESTRAINED** from taking any action or commencing or continuing any proceeding in a state or federal court against Plaintiff, in relation to the property, instrument, or allegations involved in this Interpleader action; and
2.     Plaintiff is **DISCHARGED** from any and all liability to Defendant Memorial Funeral Home, Inc. concerning the benefits from Decedent Loren Everett Joslin's California-Western States Ordinary Life-Executive Series Life Insurance Policy,

number C11005947, and American General Life Insurance Company of Delaware Preferred Whole Life Insurance Policy, number B20025204T.

Plaintiff has not specified a sum certain regarding attorneys' fees and costs in this case, and has not filed an affidavit or other materials showing that the requested fees and costs are reasonable. Accordingly, Plaintiff's request for attorney' fees and costs is **DENIED** at this time, with Plaintiffs having leave to refile such request with the proper supporting materials.

**IT IS SO ORDERED.**

**ENTER:**

ENTERED AS A JUDGMENT  
s/ *Debra C. Poplin*  
CLERK OF COURT

s/ Thomas W. Phillips  
United States District Judge